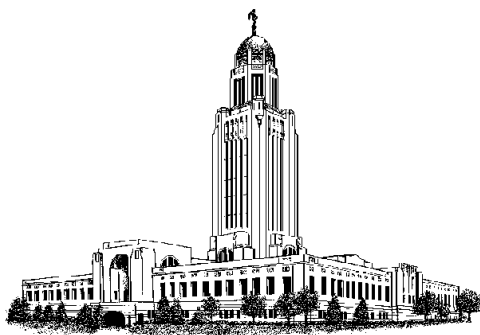


Nebraska State Legislature

SENATOR DEB FISCHER

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COMMITTEES

Chairperson - Transportation and
Telecommunications
Revenue
Committee on Committees
Executive Board
Reference
Midwest Interstate Passenger Rail Compact
Midwestern Higher Education Commission
Redistricting

August 22, 2011

Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Re: WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket No. 01-92, 96-45,
and GN Docket 09-51

Dear Chairman Genachowski:

As chair of the Nebraska Legislature's Transportation and Telecommunications Committee, I am writing to express my concerns with the universal service and intercarrier compensation reform plans that the Commission is reviewing in the above proceeding. I am particularly opposed to the portions of the plans that would wrongly preempt state public service commissions' rate-setting and regulatory authority.

The Telecommunications Act specifically requires that preserving universal service, including access to advanced services such as broadband, is to be a partnership between the FCC and the states. The plans as filed before the FCC would strip state commissions of their authority under the Act to set intercarrier rates, review interconnection agreements, maintain carrier of last resort requirements and, arguably, maintain state universal service programs for broadband. It is further alarming to understand that according to published reports, your office indeed was urging the filing of such plans.

The State of Nebraska has been at the forefront of universal service and intercarrier compensation reforms, having implemented a state universal service fund in 1999. The Nebraska Public Service Commission is also actively pursuing programs to further incent broadband deployment in un-served areas of the state. It is troubling to think that a federal agency would even consider self-serving plans from segments of the telecommunications industry that would jeopardize such state programs and undo the good work that Nebraska and other states have undertaken.

I urge the FCC to reject the preemptive portions of these plans and to order legal reforms that maintain state authority and embrace continued partnering with the states.

Sincerely,

A handwritten signature in black ink, reading "Deb Fischer". The signature is written in a cursive, flowing style.

Deb Fischer
Chairman, Transportation and Telecommunications Committee
State of Nebraska Legislature